

FORM PTO 1390 (REV 5-93) US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY DOCKET NUMBER 2005_0153A
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. §371		U.S. APPLICATION NO. (If known, see 37 CFR 1.471) NEW <b>10/522764</b>
International Application No. PCT/JP2003/010726	International Filing Date August 26, 2003	Priority Date Claimed August 29, 2002
<b>Title of Invention</b> <b>MALONONITRILE COMPOUND AND USE THEREOF</b>		
<b>Applicant(s) For DO/EO/US</b> Satoshi OKADA; Daisuke OOHIRA; and Ken OTAKA		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. §371. 2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. §371. 3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1). 4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. §371(c)(2)) a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. §371(c)(2)). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3)). a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19. 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)). <b>ATTACHMENT A</b> 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)). 		
<b>Items 11. to 14. below concern other document(s) or information included:</b>		
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <b>ATTACHMENT B</b> 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <b>ATTACHMENT C</b> 13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment. <b>ATTACHMENT D</b> <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment. 14. <input checked="" type="checkbox"/> Other items or information: a. Cover Page of Published International Application 2004/020399 <b>ATTACHMENT E</b> b. International Search Report <b>ATTACHMENT F</b>		

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15. [X] The following fees are submitted		CALCULATIONS PTO USE ONLY
Basic National Stage Fee ..... <u>\$300.00</u> National Stage Search Fee ..... <u>\$500.00</u> National Stage Examination Fee ..... <u>\$200.00</u> Specification/drawings in excess of 100 (units of 50) x \$250 = ..... <u>\$</u>		
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		<u>\$1,000.00</u>
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		<u>\$</u>
Claims	Number Filed	Number Extra
Total Claims	6 -20 =	X \$50.00
Independent Claims	1 - 3 =	X \$200.00
Multiple dependent claim(s) (if applicable)		+ \$360.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>		<u>\$1,000.00</u>
[ ] Small Entity Status is hereby asserted. Above fees are reduced by 1/2.		<u>\$</u>
<b>SUBTOTAL =</b>		<u>\$1,000.00</u>
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		+ <u>\$</u>
<b>TOTAL NATIONAL FEE =</b>		<u>\$1,000.00</u>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +		<u>\$40.00</u>
<b>TOTAL FEES ENCLOSED =</b>		<u>\$1,040.00</u>
		Amount to be refunded <u>\$</u>
		Amount to be charged <u>\$</u>
a. [X] A check in the amount of <u>\$1,040.00</u> to cover the above fees is enclosed. A duplicate copy of this form is enclosed. b. [ ] Please charge my Deposit Account No. 23-0975 in the amount of <u>\$</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>23-0975</u> .		
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.		
19. CORRESPONDENCE ADDRESS  CUSTOMER NO. <b>000513</b>		By: <u>Matthew M. Jacob</u> Matthew M. Jacob, Registration No. 25,154  WENDEROTH, LIND & PONACK, L.L.P. 2033 "K" Street, N.W., Suite 800 Washington, D.C. 20006-1021 Phone:(202) 721-8200 Fax:(202) 721-8250  February 1, 2005

[CHECK NO. 106399]  
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THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975